

REMARKS

The specification, which was objected to has been amended to correct minor typographical errors. No new matter has been added

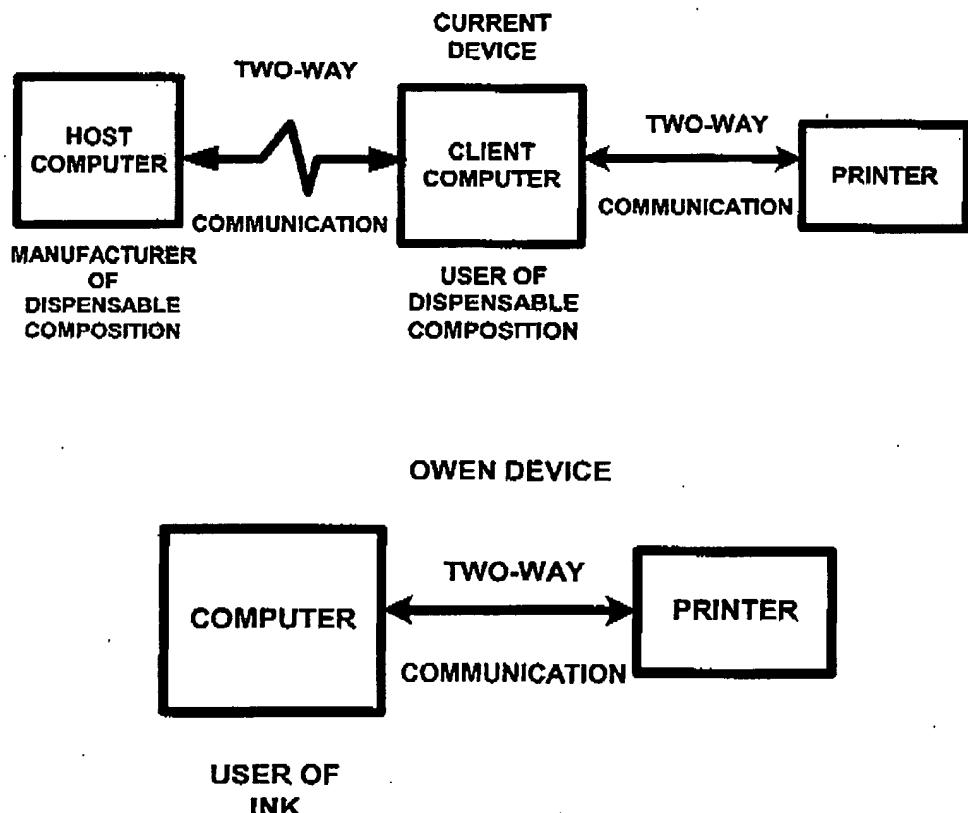
Claim 9, which was objected to for lack of antecedent basis, has been amended by deleting extraneous numeral "1" in said step (C). Claim 14, which was objected to for improper antecedence, was redrafted to provide proper antecedence. As a result, claim 15, which depends from claim 14 was also amended to provide proper antecedence.

The rejection of claims 1-2, 4-6 and 8-15 under 35 U.S.C. § 103(a) as being unpatentable over US publication US 2004/0085565 to Owen et al. (hereafter Owen) in view of US 5,930,553 to Hirst et al. (hereafter Hirst) and further in view of US 6,155,664 to Cook is respectfully traversed for the following reasons:

Unlike the present invention, there is no teaching or suggestion in Owen of a client computer in communication with a host computer in Owen. Element 54 in Figure 4 in Owen is a conventional printer memory that is present in a conventional printer. Fig. 1 in the current specification shows a conventional printer 22 in communication with a conventional client computer 10 with a conventional storage medium 16 located in client computer 10. See also the current specification on page 5, lines 30-37 and page 6, lines 1-9.

It is alleged in the Office Action that a **printer in Owen is a computer**. It would be obvious to one of ordinary skill in the art that a printer cannot do computations and a computer cannot print. Thus, it is clear that a client computer is not the same as a printer. These two elements are patentably distinct from one another and one of ordinary skill in the art would not consider these two elements to be the same, as contended in the Office Action. From Fig. 1 in Owen it is readily apparent that Owen teaches one or more printers or copiers 106, 112, 108B having internal printer memory 54 in communication with one or more servers or work stations via network 78 or direct connection 76. That is all. By contrast, the currently claimed client computer, as noted on page 6, lines 5-9 in the current specification, is a **computer not a printer**.

The following block diagrams further illustrate the distinction between the current device and the device in Owen:



It can be readily seen that in Owen no information can be, or is, communicated to and from the supplier of the dispensable composition and the user. As seen from Figs. 1 and 2 and page 15 of the specification, when the user in the current invention inserts one or more new cartridges or reservoirs 32A/B/C in printer 22, interrogator 42A reads the information, such as serial number, on the ID tags 28B and conveys that information to client computer 10, which then communicates that information to host computer 12 of the manufacturer. Host computer 12 then compares the information received to the information stored in its storage medium 18 to ascertain the authenticity of cartridges or reservoirs 32. Host computer 12 then sends a signal to client computer 10 to allow dispensation of the composition via dispensing heads 34.

Unlike the present invention, there is no teaching or suggestion in Owen of means for dispensing that are in communication with a client computer and a host computer. From Fig 1 and 4 of Owen one can readily note that what Owen teaches is a conventional printer in communication with a

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computer. The internal printer logic component 62 and printer memory 54 of printing device 30B in Fig. 4 of Owen are patentably distinct from the currently claimed computer 10 having storage medium 16. One of ordinary skill in the art would not consider these two to be the same. Even Owen teaches away from such an interpretation since Fig. 4 distinguishes between computer 67 and printing device 30B. Thus, it is abundantly clear that there is no teaching or suggestion in Owen of means for dispensing in communication with client and host computers.

Unlike the present invention, there is no teaching or suggestion in Owen of means for configuring computer readable program code devices to cause the means (F1) for reading, i.e., interrogators (see current claim 5), to read the current dispensable composition information and to store the current information on the host computer, or on the client computer and the host computer. Paragraph 39, lines 14-18 in Owen and as seen in Fig. 5 Owen teach a computer 67 which contains printer drivers 69 that contain replacement component availability modules 266 executed by processors 202. By contrast, as noted on page 7, lines 22-38 and page 8, lines 1-8 of the current specification, the current dispensable composition information can include identity of the dispensable composition, compositional structure of the dispensable composition, price of the dispensable composition contained in the dispensable composition reservoir, serial number of the dispensable composition reservoir, place of manufacture of the dispensable composition, location of the dispensable composition reservoir, date of manufacture of the dispensable composition, date of expiration of the dispensable composition, toxicity information of the dispensable composition, MSDS of the dispensable composition, manufacturer of the dispensable composition and contact information thereof, current quantity of the dispensable composition contained in the dispensable composition reservoir; or a combination thereof. No such current information is contemplated by Owen or stored on a host computer or on a client and host computer in Owen.

Unlike the present invention, there is no teaching or suggestion in Owen of means for configuring computer readable program code devices to cause the means for dispensing (F2) to terminate dispensing the dispensable compositions if the current information does not match with stored

dispensable composition information of the dispensable compositions stored on the host computer, or on the client computer and the host computer. Thus, it is not seen why one of ordinary skill in the art would pick and choose from Owen to arrive at the presently claimed invention absent any suggestion.

Unlike the present invention, there is no teaching or suggestion in Owen of means (F3) for configuring computer readable program code devices to cause the means for dispensing to dispense the dispensable compositions in accordance with a dispensing program if the current information matches with the stored dispensable composition information.

Unlike the present invention, there is no teaching or suggestion in Owen of means (F4) for configuring computer readable program code devices to cause the host computer to generate the updated dispensable composition information of said dispensable compositions.

Unlike the present invention, there is no teaching or suggestion in Owen of means for configuring (F5) computer readable program code devices to cause the means for writing to write the updated dispensable composition information to the identification tags and to store the updated information on the host computer, or on the client computer and the host computer.

As noted in the current specification, it is central to the current invention that a host computer and client computer communicate with the means for dispensing. Owen fails to teach such a connection nor would it occur to one ordinary skill in the art to arrive at the current invention in view of Owen. As noted on page 5, lines 23-35, the manufacturer can keep track in real time of consumption of the composition by the customer and augment the supply of composition using "just-in-time" processes just before the composition is depleted. As a result, the customer can receive the supply without going through a cumbersome order and supply process. Moreover, if desired, the manufacturer can bill the customer only for the quantities consumed, thus saving the customer costs associated with ordering and maintaining large inventories of dispensable compositions on the premises. Finally, since the manufacturer can keep track of various dispensable compositions being consumed on a real time basis, possibly all over the country or world, the manufacturer can realistically forecast the manufacture of the dispensable compositions on a longer term basis. There is no such

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teaching or suggestion in Owen, absent which one of ordinary skill in the art would not arrive at the present invention.

The Office Action admitted that Owen does not expressly teach that the computer readable program code resides in both the client computer and host computers. The reason would be obvious to one of ordinary skill in the art, that being that there is NO host computer in Owen. All Owen teaches is a computer that communicates with a printer. The Office Action further noted that since Hirst teaches that a computer readable program code resides in client and host computer, such an element would be obvious. First, it is not seen why one of ordinary skill in the art would combine Owen with Hirst absent any suggestion or teaching in either Owen or Hirst to do so. The Office Action focused on the term "host computer" at column 2, line 34, without providing any explanation as to what this host computer communicates with or any rationale as to why it is relevant to the current invention. As seen in Fig. 1, all Hirst teaches is a host device 20 in communication with an imaging device 10. There is NO teaching or suggestion in Hirst to communicate with a host computer 12 of the dispensable composition manufacturer, absent which it is not seen why one of ordinary skill in the art would combine the two and even when combined still arrive at the presently claimed invention.

The Office Action admitted that Owen does not expressly teach terminating dispensation of the dispensable composition if the current composition information does not match with the stored composition information. The reason would be obvious to one of ordinary skill in the art, as previously noted: there is NO host computer in Owen. All Owen teaches is a computer that communicates with a printer. The Office Action further states that Cook teaches means 6F2 and F3 of the present invention. The foregoing remark is respectfully traversed in view of the following remarks:

Cook as noted in its Abstract, teaches means for determining compatibility between the ink contained in a printhead cartridge and the one contained in a remote ink cartridge, and in the absence of a match, stopping print operation if there is incompatibility between these two of inks (Cook at column 10, lines 46-52). No such system is used in the current process nor would one of ordinary skill in the art arrive at the current invention from the

teachings in Cook as applied to Owen. Moreover, even if one were to combine the teachings in Cook with those in Owen, one of ordinary skill in the art would not arrive at the presently claimed invention. The analysis of compatibility or lack thereof in Cook is done at site and no information is conveyed to the manufacturer. Cook does not teach getting approval from the manufacturer when a new cartridge or reservoir is installed by the user. As a result, there is no real-time feed back and approval by the manufacturer that will permit the user to dispense the composition. Thus, the means (F2) and (F3) are neither taught nor rendered obvious by the combination of teachings in Owen, Hirst and Cook.

Owen in paragraph 31 on page 4 discloses a passive RFID tag. Owen does not disclose the use of an active RFID tag, which was claimed in current claim 6.

Owen, paragraph 18 on page 2, discloses the use of toner, which is typically used in photocopying machines, such as those supplied by Xerox Corporation. It is not an electrically conductive ink, such as that disclosed on page 14, lines 9-11 of the current specification that can be used to produce printed circuit boards, such as RFID tags. Thus it is not seen why claim 8 would be obvious over Owen.

However, in order to further the prosecution, element (A) in claim 1 was amended to recite "a host computer usable storage medium located in a host computer of a manufacturer of dispensable compositions in communication with said client computer". Support can be found on page 15, lines 10-12 of the specification. There is no teaching anywhere in Owen or all the secondary references taken alone or in combination with Owen of client computer in communication with the host computer of the manufacturer of the dispensable compositions.

New claims have been added for the examiner's kind consideration. Support for claim 16 can be found on page 6, lines 10-16 of the current specification. Support for claim 17 can be found on page 6, lines 17-18 of the current specification. Support for claim 18 can be found on page 6, lines 19-20 of the current specification. Support for claim 19 can be found on page 11, lines 35-41 and on page 12, line 1 of the current specification. Support for claim 20 can be found in claim 8. Support for claim 20 can be found in claim

8. Support for claim 21 can be found in claim 10. Support for claim 22 can be found on page 14, lines 35-36 of the current specification.

Applicants also wish to point out that there is a commonly assigned co-pending related patent application having Serial No. 10/775,572, which was filed on February 9, 2004 and has same inventorship. The prior art cited in that application, but not in this application, is being submitted with this response for the Examiner's consideration.

Applicants believe that the fee established in 37 C.F.R. §1.17(a)(1) for extending the time to reply to the Office Action as provided in 37 C.F.R. §1.136(a)(2), namely the fee to extend the time to file within the first month after the end of the shortened statutory period, is due with submission of this paper. Please charge said fee to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company). Should an additional fee, not accounted for herein, also be due, please charge such fee to the same Deposit Account.

Should the Examiner wish to discuss any issues involved in this application, the Examiner is respectfully invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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